



Flathead County

Planning & Zoning

40 11th Street West, Suite 220 Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210

AUG 29 2015

PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 1016.55

APPLICANT/OWNER:

1. Name: JC&A LLC Phone: 406-756-7175
2. Mail Address: PO Box 1621
3. City/State/Zip: Kalispell, MT 59903
4. Interest in property: 100%

Check which applies:



Map Amendment



Text Amendment:

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: _____ Phone: _____
Mailing Address: _____
City, State, Zip: _____
Email: _____

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

- A. What is the proposed zoning text/map amendment?

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 2174 Airport Road Kalispell MT 59901

- B. Legal Description: 2821x30-xxx-1C
(Lot/Block of Subdivision or Tract #)

30 - 28N - 21W

Section Township Range (Attach sheet for metes and bounds)

- C. Total acreage: 4.33

- D. Zoning District: Westside

- E. The present zoning of the above property is: R1

- F. The proposed zoning of the above property is: I1

- G. State the changed or changing conditions that make the proposed amendment necessary: _____

changing to allow construction contracting business to operate

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS. *see attachment*

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?
2. Is the proposed amendment designed to:
 - a. Secure safety from fire and other dangers?
 - b. Promote public health, public safety and the general welfare?
 - c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
3. Does the proposed amendment consider:
 - a. The reasonable provision of adequate light and air?
 - b. The effect on motorized and non-motorized transportation systems?
 - c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
 - d. The character of the district and its peculiar suitability for particular uses?
 - e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.



Owner/Applicant Signature(s)

8/29/2016

Date

Flathead County Planning and Zoning Petition for zoning amendment

1. The proposed amendment is in accordance with the Growth Policy Neighborhood plan because applicable goals, policies and texts appear to support request to I1 designation. The Flathead County Growth policy designated land use map identifies the subject property as "R1". The proposed "I1" zoning classification would appear to contrast with the current designation. However, chapter 10 part 3: Land Use Maps specifically states, "This map depicts areas of Flathead County that are legally designated for particular land uses. This is a map which depicts existing conditions. The areas include zoning districts which are lumped together by general use rather than each specific zone and neighborhood plans. Further information on particular land uses in these areas can be obtained by consulting the appropriate zoning regulations or neighborhood plan document. The uses depicted are consistent with the existing regulations and individual plan documents. This map may be changed from time to time to reflect additional zoning districts, changes in zoning districts, maps changes and neighborhood plans as they are adopted. Since this map is for informational purposes, the Planning Staff may updated the same to conform to changes without the necessity of a separate resolution changing this map." If the zoning map amendment is approved the designated land use map can be updated to reflect changes made by the County Commissioners based on polices, rather than maps in the document. This Zoning change appears to be in conformance with majority of other property zoning on the boundary of this property.

2. Is the proposed amendment designed to:

a. Secure safety from fire and other dangers- Yes- The property is within the South Kalispell fire District and the nearest fire and emergency response center is located approximately 1.3 road miles northeast of the property on Willow Glen drive, and would respond in the event of a fire or medical emergency. Property development provides for sufficient access for emergency vehicles.

b. Promote public health, public safety and the general welfare- Yes- As mentioned above, the property is located within the South Kalispell Fire District and the nearest fire and emergency response center is located approximately 1.3 road miles northeast of the property on Willow Glen drive, and would respond in the event of a fire or medical emergency. Property development provides for sufficient access for emergency vehicles. Flathead County Sheriff's department provides police services to the subject property. Airport Road is adequate to provide ingress and egress for emergency services which would help to ensure adequate public health and safety.

c. Facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements- Yes- The property is located off of Airport Road which connects with Highway 93 bypass. Given the size of the property 4.33 acres the ITE Trip generation manual 5th editions "general light industrial" generates approximately 51.8 average daily trips per acre for a weekday. This would therefore have the potential to generate 224 average daily trips, which should not significantly affect traffic, especially in relation to the by-pass. Well logs in the vicinity of the subject property indicate that adequate water supply is available for individual wells, multiuser wells or public wells to

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serve the future, whichever is determined to be needed. Water is currently provided by a well located on the subject property, and water usage is not expected to change. As no subdivision of the parcel is anticipated, any further development must be in accordance with the Flathead County Air Pollution Control regulations. The property is located within the Flathead High School District and Elrod Elementary school district, but the proposed industrial use would not generate any school children other than the current family living in the existing home. The zoning map amendment would not impact the existing park system because minimal demand on existing parks would be created.

3.

a. The reasonable provision of adequate light and air? Yes- The I1 zone has building height restrictions, minimum building setbacks and maximum fence height requirements that will provide for adequate light and air”.

b. The effect on motorized and non-motorized transportations systems. Yes- There is a bike path that begins at the west of Cemetery Road and follows the Highway 93 Bypass route. Additionally Montana Department of transportation has land along the east side of the property that could be further utilized for additional bike path development. The property access is located directly off of Airport Road which connects with Highway 93 bypass and feeder road of Cemetery Road. Given the size of the property 4.33 acres the ITE Trip generation manual 5th editions “general light industrial” generates approximately 51.8 average daily trips per acre for a weekday. This would therefore have the potential to generate 224 average daily trips, which should not significantly affect traffic, especially in relation to the by-pass.

c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities- Yes- The proposal is compatible with the urban growth in the area, currently bordered on the south and west by industrial property and Airport road to the East. The south Kalispell corridor along Highway 93 is developed with well established businesses which include light industrial as well as other businesses on Airport Road of the same designation.

d. The character of the district and its peculiar suitability for particular uses- Yes-The surrounding uses are primarily I1. The north side is R1 with I1 to west and south. Across Airport Road is SAG-10. With existing industrial uses bordering the property the proposed use would be suitable.

e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area. Yes- Approval of this zoning amendment would conserve the value of buildings in the area and the proposed use would provide the best use for the land. Additional buildings could be built on the property consistent with the I1 designation of nearby zoned properties, and help improve building values.

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4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities- Yes- Kalispell is the nearest municipality to the subject property and is located approximately 1/8 of a mile north west of the property. The property is located within the boundary of Kalispell Growth Policy, and is compatible with the urban growth in the area as the corridor along Hwy 93 is developed with businesses, including light industrial. Additionally there is light industrial designations directly to the south and west of the proposed property.

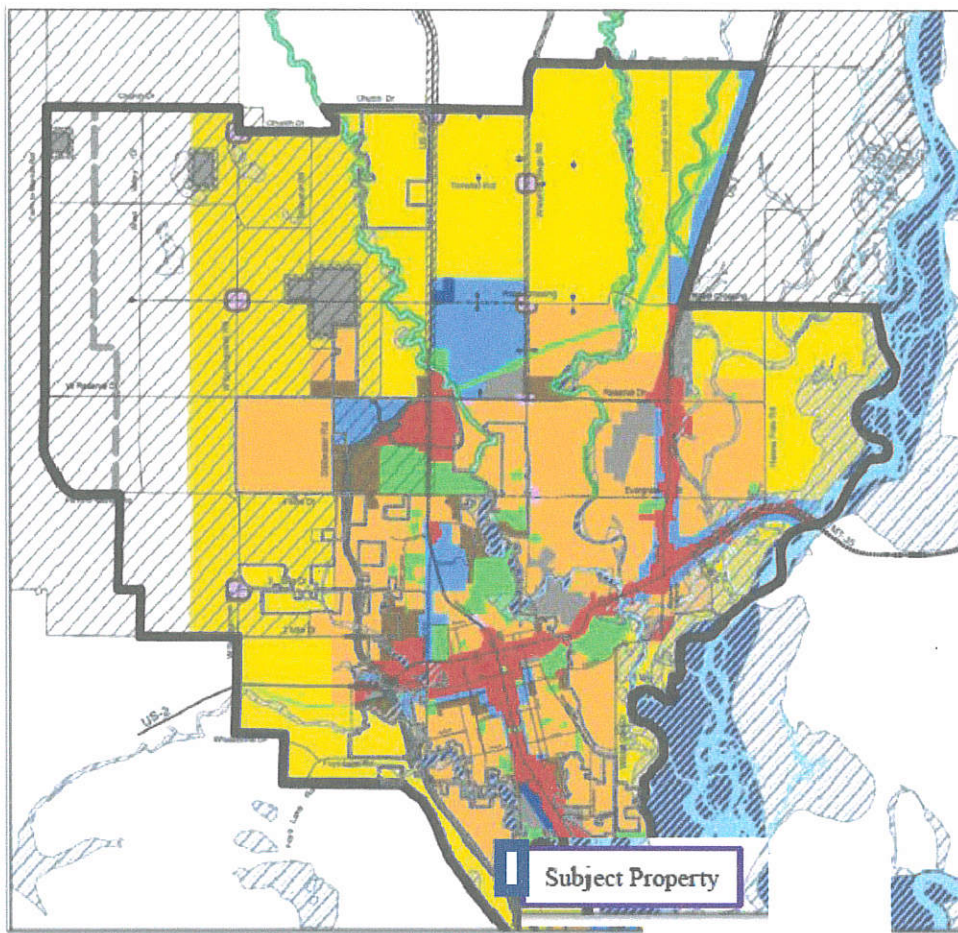


Figure 2: Current zoning applicable to subject property (highlighted in blue)



Figure 3: Proposed zoning on the subject property (highlighted in blue)



AUG 23 2022